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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,906	03/27/2004	Joseph Fernand Dechene	Dechene	9427
7590		01/26/2005	EXAMINER	
Joseph Dechene		FERGUSON, MARISSA L		
37 Whitford Rd		ART UNIT		
Nashua, NH 03062		PAPER NUMBER		
		2854		

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/810,906

Applicant(s)

DECHENE, JOSEPH FERNAND

Examiner

Marissa L Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/21/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 2-14 and 17 are objected to because of the following informalities: in claims 2-14, the claims end in "," and should end in "." and in claim 17, the claim should end with ".". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7,10,12,14 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Conway (US Patent 5,410,333).

Regarding claims 1,6,7 and 16-18, Conway teaches a hand-holdable device (10) and method comprising a plurality of user input keys on a back side (Figures 1 and 2), a set of handles and contours to position the user's hands and fingers in appropriate alignment and placement to a set of home keys of said user input keys (Figure 1), whereby handles contour and allow hand holding of a device while leaving the user's thumbs and fingers to be free (Figure 1), whereby handles and contours maintain overall position of the user's hands even as the user uses back side input keys to rapidly input data and whereby a user can hold a device(10) and rapidly input data (Figure 1).

Regarding claim 2, Conway teaches a split keyboard on a back side, whereby the user's left hand fingers accesses one portion of a split keyboard, and the user's right hand fingers access the other portion of said split keyboard (Figure 3).

Regarding claim 3, Conway provides a plurality of home keys that have inherent tactile markings for rapid identification and position.

Regarding claim 4, Conway teaches back side input keys that are arranged to accommodate the natural motion and reach of the user's fingers from said home keys position (Figure 1).

Regarding claim 5, Conway teaches wherein back side keys comprise of a split qwerty keyboard and home keys consisting of characters a, s, d, and f for the left hand and j, k, l, and ; for the right hand, whereby rapid data entry is accomplished by touch typing on a keyboard (Figure 3).

Regarding claim 10, Conway teaches a set of front side input keys (44,48), wherein front side input keys may be of less used keys and control keys.

Regarding claim 12, Conway teaches an extended display on a front side, a portion of the extended display can act as an arrangement of virtual front input keys as needed (Column 6, Lines 62,63).

Regarding claim 14, Conway teaches other computer functions such as cursor Control (66), communication, connectivity (50), drives and screen input (Column 6, Lines 56-62).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8,9,11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conway (US Patent 5,410,333) in view of Goodenough (US Publication 2003/0193477).

Regarding claim 8, Conway teaches the invention claimed with the exception of handles with inserts that accommodate for differences in hand size/user preferences. Goodenough teaches screw inserts (12 and 19) to accommodate for different hand sizes. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Conway to include inserts as taught by Goodenough, since Goodenough teaches it is advantageous to provide comfort for users with larger and/or smaller hands.

Regarding claim 9, Conway teaches the invention claimed with the exception of a set of handle sensors that prevents key strokes. Goodenough teaches switches (10 and 21) that function as sensors when both are depressed by the user. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Conway to include sensor switches as taught by Goodenough, since Goodenough teaches that it is advantageous to allow the user to

handle the device or sit it down while it is powered on, without having extraneous keystrokes entered.

Regarding claims 11 and 13, Conway teaches the invention claimed with the exception of surface features on a front side that provides a sense of position for an arrangement of front input keys, whereby allowing quick user location of an arrangement of front input keys and a set of physical keys and a display on a front side. Goodenough teaches a hand-held double sided keyboard device that discloses handles that adjust allowing for different hand sizes, an arrangement of input keys on a front surface (1-9) and a display on a front surface (14).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Conway to include front input keys on a display as taught by Goodenough, since Goodenough teaches that it is advantageous to allow the user to type multiple key sequences without moving fingers away from the home position.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Conway (US Patent 5,410,333) in view of <http://kotishivu.mtv3.fi/seppo/example2.html>.

Conway teaches the claimed invention with the exception of a device with back side keys comprising a single row of back side keys for each hand and a front side comprising of shifters to select alternative input characters for each key of back side keys. <http://kotishivu.mtv3.fi/seppo/example2.html> teaches a hand held device with a single row of back side keys corresponding with each of the respective hands and control keys located on the front (Page 3, Top figure). It would have been obvious at

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the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Conway to replace a split keyboard of a back side thereof, with a single row of back side keys and include front control keys as taught by

<http://kotishivu.mtv3.fi/seppo/example2.html>, since <http://kotishivu.mtv3.fi/seppo/example2.html> teaches that it is advantageous to provide a comfortable hand-held device.

### **Conclusion**

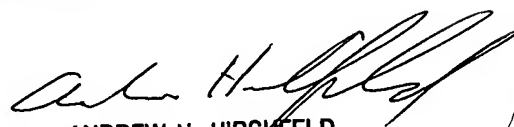
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson  
Examiner  
Art Unit 2854

11/2/06

  
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